1 2 3 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 4 AT TACOMA 5 CASE NO. C17-5373 BHS DARREL PATRICK WILLIS, 6 Plaintiff, ORDER ADOPTING REPORT v. AND RECOMMENDATION AND 7 DISMISSING PLAINTIFF'S NICK KISER, et al., **CLAIMS AGAINST DEFENDANT** 8 HERGERT WITHOUT PREJUDICE Defendants. 9 10 This matter comes before the Court on the Report and Recommendation ("R&R") 11 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 85. The Court 12 having considered the R&R and the remaining record, and no objections having been 13 filed, does hereby find and order as follows: 14 (1) The R&R is **ADOPTED**; 15 Defendant Hergert's Motion for Summary Judgment is GRANTED; and (2) 16 Plaintiff's claims against Defendant Hergert are **DISMISSED**. (3) 17 Dated this 14th day of May, 2019. 18 19 20 21 United States District Judge 22